



FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF GENERAL COUNSEL

# memorandum

TO: Director, Reference Information Center  
Chief, Media Bureau

FROM:  Daniel M. Armstrong  
Associate General Counsel

SUBJECT: *Federal Communications Commission and United States of America v. Prometheus Radio Project, et al.*, No. 04-1168. Filing of a Conditional Cross-Petition for a Writ of Certiorari in the Supreme Court of the United States.

DATE: March 7, 2005

---

This is to advise you that the Federal Communications Commission and the United States of America filed a Conditional Cross-Petition for a Writ of Certiorari in the Supreme Court of the United States, on March 2, 2005.

Petitioners are seeking Supreme Court review of the Third Circuit's decision, *Prometheus Radio Project, et al. v. FCC*, 373 F.3d 372 (3d Cir. 2004), that the FCC's revised media ownership rules were not supported by reasoned decisionmaking.

The Supreme Court has docketed this case as No. 04-1168. The attorney assigned to handle the litigation of this case is Nandan M. Joshi.